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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,345	04/04/2001	Bin Huang	HUANG-2K01	3906
7590	09/08/2004		EXAMINER	
Bo-In Lin 13445 Mandoli Drive Los Altos Hills, CA 94022			STRANGE, AARON N	
			ART UNIT	PAPER NUMBER
			2153	
DATE MAILED: 09/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/826,345	Applicant(s) HUANG, BIN	
	Examiner Aaron Strange	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) • | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it is too long. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claims 1-18 objected to because of the following informalities: Appropriate correction is required.
3. The claims contain several spelling and grammatical errors. Some examples are cited below. However, this list should not be considered comprehensive, and all errors must be corrected. Claim 1, Line 3, "master server Internet"; Claim 1, Line 4, "a e-commerce customer"; Claim 1, Line 6, "redirecting a data"; Claim 1, Line 7, "redirecting a responding data".

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4. Several of the claims use the term "comprising" when the term should be "comprises". An example is claim 2, "wherein: said e-commerce engine further comprising".

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. Particularly unclear are claims 7-11, although all of the claims should be revised.

8. Claim 3 recites the limitation "said good-or-service" in line 3. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 10 recites the limitation "said second connection in step b)" in line 3 and "said connection in step a)" in line 8. There is insufficient antecedent basis for these limitations in the claim. No connection is claimed in steps a) or b) of claim 8. It appears that Applicant may have intended for claim 10 to depend from claim 9.

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10. Claim 11 currently depends from claim 6. There is insufficient antecedent basis for the limitations in the claim. It appears that Applicant intended for claim 11 to depend from claim 7, and it has been interpreted as such for the purpose of applying prior art.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-4, 7-15, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Kargman et al. (US 2002/0038261).

13. With regard to claim 1, Kargman et al. (Kargman, hereafter) discloses an Internet system, comprising: an electronic-commerce (e-commerce) engine comprising a master server Internet (central website) connected to a store manager personal computer (PC) and a e-commerce customer (Par 2); and said master server comprising a redirection means for redirecting a data received from said e-commerce customer to said store manager PC (order is sent directly to local store), and redirecting a responding data received from said store manager PC to said e-commerce customer (estimated delivery time or other information is returned), to enable a real-time on-line communication between said e-commerce customer and said store manager PC (Par 17, Lines 19-32).

14. With regard to claim 2, Kargman further discloses that said e-commerce engine further comprises a Web page processor for providing Web pages to said e-commerce customer and said store manager PC (central web-site) (Par 2).

15. With regard to claim 3, Kargman further discloses that said e-commerce engine further comprises a database for storing a good-or-service catalog (menu and pricing) for said store manager PC for allowing said e-commerce customer to order said good-or-service from said store manager PC (Par 5).

16. With regard to claim 4, Kargman further discloses that said e-commerce engine further comprises a shopping cart for temporarily storing multiple orders selected by said e-commerce customer (Current order contains several items) for generating a verifying web-page for review and confirmation by said e-commerce customer (Par 15).

17. With regard to claim 7, Kargman discloses a method for generating a virtual-direct interaction between a net-requester for a good-or-service and a direct resource for providing said good-or-service comprising: instantiating a receiving process for receiving a request from said requester for said good-or-service through an Internet system (Order is placed at central web site)(Par 15); and responding to said request by said receiving process for instantiating a transmission process for transmitting data to said direct-resource for providing said good-or-service through said Internet system (Order is forwarded directly to local store)(Par 17, Lines 19-32).

18. With regard to claim 8, Kargman discloses instantiating a second receiving process for receiving a response from said direct resource for providing said good-or-service responding to said request (Receives delivery time info, etc)(Par 17, Lines 19-

32); and responding to said response from said direct resource for providing said good-or-service received by said second receiving process for instantiating a second transmission process for transmitting data to said requester for said good-or-service through said Internet system (Confirmation is sent to customer) (Par 17, lines 24-32).

19. With regard to claim 9, Kargman further discloses that said step a) of instantiating said receiving process comprises a step of stream socket connecting a requester transmission process transmitted from said requester to said receiving process instantiated by a master server program; and said step b) of instantiating said transmission process comprises a step of a second stream socket connecting said transmission process with receiving process instantiated by a said direct-resource program for transmitting data to said direct-resource for providing said goods-or-services through said Internet system. Since the customer computer, central web site, and local store computers are all connected via the Internet (Par 2), then all communications are done using sockets to connect the computers and transfer the order information.

20. With regard to claim 10, Kargman further discloses that said step c) of instantiating said second receiving process comprises a step of using said second connection in step b) for transmitting data from said direct-resource transmission process transmitted from said direct-resource to said second receiving process instantiated by a master server program; and said step d) of instantiating said second transmission process comprises a step of using said connection in step a) for transmitting data to said net requester through said Internet system. Since the customer

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computer, central web site, and local store computers are all connected via the Internet (Par 2), then all communications are done using sockets to connect the computers and transfer the order information.

21. With regard to claim 11, Kargman further discloses that said step a) of instantiating a receiving process for receiving a request from said requester for said good-or-service through an Internet system further comprises a step of providing an Internet Web page to enabling said requester to enter said request for said goods-or-services (Par 12, Lines 1-4 and Par 15, Lines 1-6).

22. With regard to claim 12, Kargman discloses a method for receiving and responding to an electronic commerce message between networked data handling systems comprising: receiving an electronic-commerce requesting message from a requesting data handling system (Order is placed at central web site)(Par 15) and generating a virtual-direct interaction by redirecting said electronic commerce requesting message in real time to a networked responding data handling system (Order is forwarded directly to local store)(Par 17, Lines 19-32).

23. With regard to claim 13, Kargman further discloses receiving and redirecting a response (Receives delivery time info, etc)(Par 17, Lines 19-32) for responding to said electronic commerce requesting message from said respondent data handling system to said requesting data handling system for providing said virtual-direct interaction between said requesting data handling system and said respondent data handling system (Confirmation is sent to customer) (Par 17, lines 24-32).

24. With regard to claim 14, Kargman discloses a network system for generating a virtual-direct interaction between a net-requester for a good-or-service and a direct-resource for providing said good-or-service comprising: a process instantiating means for instantiating a receiving process (Order is received at central web site)(Par 15) and a transmitting process (Order is forwarded directly to local store)(Par 17, Lines 19-32) for receiving and transmitting a request and a response; a process connecting means (central web site connects customers with local stores) for connecting said transmission process with said receiving process for enabling said net-requester for good-and-service and said direct-resource for providing said good-or-service to have a virtual-direct interaction for conducting a real-time interactive communication on said network system (Order is forwarded to local store and confirmed by local store in real time)(Par 17, Lines 19-32).

25. With regard to claim 15, Kargman further discloses that said process connection means comprising a stream socket connection means for generating a stream socket for connecting said transmission process with said receiving process. Since the customer computer, central web site, and local store computers are all connected via the Internet (Par 2), then all communications are done using sockets to connect the computers and transfer the order information.

26. With regard to claim 17, Kargman further discloses that said redirection means redirecting a data relating to a purchase-merchandise received from said e-commerce customer to said store manager PC to enable real-time on-line communication between

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said e-commerce customer and said store manager PC for completing a transaction of said purchase-merchandise for said e-commerce customer (Data is related to a restaurant order) (Par 2).

Claim Rejections - 35 USC § 103

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

28. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kargman et al. (US 2002/0038261) in view of DynIP.

29. With regard to claim 5, while the system disclosed by Kargman shows substantial features of the claimed invention (discussed above), it fails to specifically disclose that said e-commerce engine further comprises a store manager PC registration-and log-in/log-out processor for registering and logging in and out said store manager PC to obtain a dynamic IP address of said store manager PC.

DynIP teaches the use of a log-in/log-out procedure for the purpose of obtaining the dynamic IP address of a registered client. This allows the client to use dynamic addressing, which is the most common addressing means, but still keep other computers informed of the current address being used. Whenever a client changes its IP address, it logs into the DNS server and notifies it of the change, so packets destined for that system will be sent to the new address (DynIP, Page 16, Appendix A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the store manager PCs log-in to the central website whenever their IP address changes, in order to notify the central server of the new address so information would be properly routed.

30. Claims 6, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kargman et al. (US 2002/0038261).

31. With regard to claim 6, while the system disclosed by Kargman shows substantial features of the claimed invention (discussed above), it fails to specifically disclose that said master server comprises a multiple thread means for redirecting data received from at least two e-commerce customers to at least two store manager personal computers in parallel.

However, threaded web servers are old and well-known in the art and nearly all web servers are multithreaded, since this allows multiple requests to be made simultaneously. Kargman discloses that multiple stores are served by the website (Par 2), so allowing multiple customers to access the website simultaneously would be extremely advantageous. A web server that is only capable of handling one connection at a time is not very useful, since customers would not be able to connect to the website whenever a customer is placing an order.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a multithreaded web server since this would allow multiple customers to place orders simultaneously.

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32. With regard to claims 16 and 18, while the system disclosed by Kargman shows substantial features of the claimed invention (discussed above), it fails to specifically disclose that the data being redirected relates to a scheduled-reservation or a price-dependent purchase proposal.

However, Kargman discloses that other types of stores and restaurants could utilize the system. Scheduled-reservations or price-dependent purchase proposals are merely design choices regarding the specific type of data being transmitted, and are not essential to the functionality of the invention. Scheduled-reservations would be a common data type sent when a group of restaurants or other service relates stores are using the system and price-dependent purchase proposals would be a common data type sent for stores that sell tangible goods.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to transmit scheduled-reservations or price-dependent purchase proposals as a design choice depending on the types of stores connected by the system.

Conclusion

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

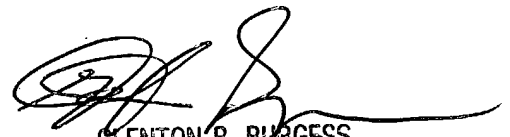
34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 703-305-8878. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANS 9/2/2004



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